



91. (New) An internal combustion engine in accordance with claim 90, wherein said crank chamber and said oil reservoir are separated from each other by a partition wall, and said communicating channel having said flow resistance is a small hole formed in said partition wall.

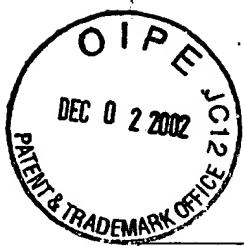
#### **Remarks**

Claims 90-91 have been added, and claims 1-91 are pending in this application. Claims 90-91 are copied from claims 1-2 respectively of pending U.S. Patent Application No. 09/865,544 having Publication No. US2001/0045199 A1. Applicants have herewith filed a request for interference proposing two counts relating to these claims.

New claims 90-91 are supported at various places in the present application, including, but not limited to: page 3, lines 12-19; page 15, lines 4-12; page 21, line 26 – page 23, line 31, and Figs. 1, 8, 8A, 13, 23, 24 and 28.

The present application is a national phase application under 35 USC §371 of PCT Application No. PCT/US00/00841 filed on January 13, 2000, which claims the benefit of U.S. Provisional Application No. 60/117,215, filed January 25, 1999, which also supports the new claims 90-91.

The following tables outline where support for each element of claims 90-91 is found in the present application, and in U.S. Provisional Application No. 60/117,215, which provides the earliest filing date for the present application.



| Claim 90  | Present Application   | Provisional Application   |
|---|---|---|
| An internal combustion engine, comprising:  | Page 12, lines 20-21.<br>Fig. 1, #20.   | Page 9, lines 29-31.<br>Fig. 1, #20.  |
| a crankshaft;   | Page 14, lines 2-3.<br>Fig. 1, #80.   | Page 11, line 29.<br>Fig. 1, #80.   |
| a crank chamber accommodating said crankshaft;  | Page 14, lines 13-16<br>Fig. 1, #124.   | Page 12, line 11.<br>Fig. 1, #124.  |
| an oil reservoir arranged adjacent to said crank chamber and containing engine oil; and   | Page 14, lines 13-16.<br>Fig. 1, #126.  | Page 12, line 11.<br>Fig. 1, #126.  |
| a communicating channel having a flow resistance between said crank chamber and said oil reservoir;   | Page 14, lines 13-16.<br>Page 15, lines 4-12.<br>Figs. 1 and 13, #118, #120 and #122. | Page 12, lines 8-13.<br>Page 13, lines 8-22<br>Figs. 1 and 13, #118, #120 and #122. |
| wherein said crank chamber and said oil reservoir are in communication with each other by way of said communicating channel,  | Page 15, lines 29-31.<br>Figs. 1 and 13, #118, #120, #122, #124 and #126.             | Page 14, lines 12-15.<br>Figs. 1 and 13, #118, #120, #122, #124 and #126.           |
| so that said flow resistance in said communicating channel causes a pressure in said oil reservoir to change with a delay with respect to a change of a pressure in said crank chamber, | Inherent in holes<br>page 15, line 7.   | Inherent in holes page 13, line 14.   |
| a pressure difference between said crank chamber and said oil reservoir causing a fluid flow through said communicating channel between said crank chamber and said oil reservoir.      | Page 15, lines 29-31.<br>Page 23, lines 2-4 and 22-26.                                | Page 14, lines 12-15.<br>Page 24, lines 18-21.<br>Page 25, lines 14-20.             |



| Claim 91   | Present Application   | Provisional Application  |
|--|---|--|
| An internal combustion engine in accordance with claim 90,   | See table above for claim 90.   | See table above for claim 90.  |
| wherein said crank chamber and said oil reservoir are separated from each other by a partition wall, and | Page 14, lines 13-14.<br>Figs. 1 and 13, #118, #120, #122, #124 and #126. | Page 12, lines 8-11.<br>Figs. 1 and 13, #118, #120, #122, #124 and #126. |
| said communicating channel having said flow resistance is a small hole formed in said partition wall.    | Inherent in holes page 15, line 7.  | Inherent in holes page 13, line 14.                                      |

The undersigned attorney is available for telephone consultation.

Respectfully submitted,

Casimir F. Laska  
Reg. No. 30,862

Docket No.: 018367-9780  
Michael Best & Friedrich LLP  
100 East Wisconsin Avenue  
Milwaukee, Wisconsin 53202-4108

(414) 271-6560

N:\CLIENT\018367\9780\A0468538.1